IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

RP.No. 176 of 2007(B)

AGAINST THE JUDGEMENT/ORDER IN WA.1866/2006 Dated 05/01/2007
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REVIEW PETITIONERS/APPELLANTS/PETITIONERS
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1. V.K.GANGADHARAN NAMBIAR,
RETD. AS MANAGING DIRECTOR,
THE TELLICHERRY TALUK CO-OPERATIVE MARKETING & PROCESSING SOCIETY LTD., P.O.MATTANNUR-670 702.

2. K.RAGHAVAN,
RETD. AS OIL MILL TECHNICIAN,
-DO-

3. K.DAMODARAN NAMBIAR,
RETD. AS OFFICE ASSISTANT,
-DO-

4. C.K.GOVINDAN,
RETD. AS MANAGING DIRECTOR,
-DO-

5. K.C.PADMANABHAN,
RETD. AS DRIVER, -DO-

6. K.K.GANGADHARAN,
RETD. AS OIL MILL ASSISTANT,
-DO-

7. V.SUKUMARAN,
RETD. AS DEPOT MANAGER, -DO-

BY ADV. SRI.K.V.SOHAN
SMT.SREEJA SOHAN.K.
SMT.SANJANA R.NAIR

RESPONDENTS: RESPONDENTS/PETITIONERS
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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KANNUR.

2. THE TELLICHERRY TALUK CO-OPERATIVE MARKETING SOCIETY & PROCESSING SOCIETY, REPRESENTED BY ITS SECRETARY/MANAGING DIRECTOR, P.O.MATTANNUR-670 702.

3. THE PRESIDENT, TELLICHERRY TALUK CO-OPERATIVE MARKETING SOCIETY & PROCESSING SOCIETY, P.O.MATTANNUR-670 702.

4. M.P.HASSANKUNHI, S/O. ABDURAHIMAN, "H.K.VILLA", THANA, KANNUR DISTRICT.

BY SENIOR GOVERNMENT PLEADER SMT. K. MEERA
R2 BY ADV. M. SASINDRAN.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S. RADHAKRISHNAN(AG.C.J.) & M.N. KRISHNAN,J.

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R.P. 176 OF 2007

IN W.A. NO. 1866 OF 2006

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Dated this the 13th day of March, 2007.

J U D G M E N T

Radhakrishnan,(Ag.C.J.)

Heard counsel on either side. The petitioner has approached this Court seeking a direction to the first respondent to pass appropriate orders to effect the payment of salary arrears, pension fund amount, retirement benefits etc. to the petitioners. The petitioners' contention before the earlier division bench as well as before us was that they have doubt about the jurisdiction of the Registrar to decide the matter in issue. Counsel appearing for the Society submitted that the appropriate remedy for the petitioners is to approach the arbitration Court. The petitioners have already approached the Registrar of Co-operative Societies. So, the Registrar will pass appropriate orders in accordance with law within two months from the date of receipt of a copy of this judgment. We are not expressing any opinion as to jurisdiction of the Registrar to resolve the issue. Counsel appearing for the Society already submitted that there are other creditors also. So,

that aspect may also be taken note of by the Registrar while deciding the issue. The R.P. is disposed of accordingly.

K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N. KRISHNAN, JUDGE.

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